

REMARKS

This paper is filed in response to the official action dated June 10, 2009 (hereafter, "the action"). This paper is timely filed as it is accompanied by a petition for extension of time and authorization to charge our credit card account in the amount of the requisite fee. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed, or which should have been filed herewith, to our Deposit Account No. 13-2855, under Order No. 29610/CDT413.

Claims 1-8, 11, 13, 14, 17-24, 26-32, and 34-40 are pending. By the foregoing, claims 19-24, 26, 27, and 35-40 have been canceled without prejudice and claim 1 has been amended. Support for claim 1 may be found, for example, at page 11 of the original application.

Claims 1-8, 11, 13, 14, 17, 18, 28-32, and 34 remain at issue.

The specification has been objected to in view of the amendment to the paragraph bridging pages 8 and 9 of the specification filed June 5, 2008. The amendment to paragraph bridging pages 8 and 9 of the specification has been reproduced in its entirety herein. Accordingly, the objection to the specification should be removed.

Claim Rejections – 35 U.S.C. §102

Claims 19-21, 23, 24, and 25 have been rejected as assertedly anticipated by U.S. Patent Publication No. 2002/0041979 to Taguchi. These claim rejections have been rendered moot in view of the cancellation of claims 19-21, 23, 24, and 25.

Claim Rejections – 35 U.S.C. §103

All pending claims 1-8, 11, 13, 14, 17-24, 26-32, and 34-40 have been rejected as obvious over U.S. Patent 7,396,598 to Takeuchi et al. alone, or in further view of U.S. Patent 6,416,915 to Kikuchi et al., U.S. Patent 5,518,824 to Funhoff et al., or U.S. Patent 6,696,181 to Okunaka et al. The rejections relative to claims 19-24, 26, 27, and 35-40 have been rendered moot in view of their cancellation; the rejections of claims 1-8, 11, 13, 14, 17, 18, 28-32, and 34 are respectfully traversed.

At page 7 of the action, the examiner indicated that:

While the portions of Takeuchi's disclosure that have an effective U.S. filing date prior to present applicant's

foreign priority date do not explicitly disclose a polymerizable charge transporting material having at least two polymerizable groups, it is the examiner's position that use of a polymerizable charge transporting material having at least two polymerizable groups would have been an obvious modification to one of ordinary skill in the art given Takeuchi's disclosure that does have an earlier effective U.S. filing date.

Thus, the rejections are premised upon Takeuchi's disclosure of "a polymerizable charge transporting compound [having] only one group capable of undergoing polymerization." *See* page 4 of the action. It is not clear as to why one of ordinary skill in the art would be motivated to modify the charge transporting compound disclosed in Takeuchi to include a second polymerizable group as Takeuchi and the other cited references fail to disclose any advantage associated with such a second polymerizable group. Indeed, the charge transporting compound referenced by the examiner, N-vinylcarbazole, is capable of forming a polymer without a second polymerizable group.

Moreover, the light-emitting complexes disclosed in Takeuchi include a polymerizable substituent or ligand. As a result, upon reaction with the polymerizable charge transporting compound, Takeuchi forms a copolymer containing both the light-emitting complex and the charge transporting compound therein. In contrast, in the claimed invention, two separate components are observed after reaction. The applicants respectfully submit that there is no motivation to modify the light-emitting complexes disclosed in Takeuchi to be free of polymerisable functional groups, as claimed, so as to result in two separate components after reaction. In fact, Takeuchi explicitly teaches against such systems by disparaging them as being susceptible to phase separation. *See* Takeuchi at column 2, lines 59-67.

The other documents cited by the examiner do not remedy the foregoing deficiencies.

In view of the foregoing, it is respectfully submitted that a *prima facie* case of obviousness cannot be sustained. Accordingly, the rejections of record should be withdrawn.

CONCLUSION

It is submitted that the application is in condition for allowance. Should the examiner wish to discuss the foregoing, or any matter of form or procedure in an effort to advance this application to allowance, the examiner is respectfully invited to contact the undersigned attorney at the indicated telephone number.

Respectfully submitted,

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